

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Miami Division**

PRESIDENT DONALD J. TRUMP, an individual,

Plaintiff,

v.

AMERICAN BROADCASTING COMPANIES, INC.,
a Delaware corporation, ABC NEWS, INC., a Delaware
corporation, and GEORGE STEPHANOPOULOS, an
individual,

Defendants.

Case No.: 1:24-cv-21050-CMA

JOINT SCHEDULING REPORT

Pursuant to S.D. Fla. Local Rule 16.1(b), Fed. R. Civ. P. 26(f), counsel for the parties communicated via telephone on April 8, 2024 to discuss and prepare this Joint Scheduling Conference Report as follows:

1. Pursuant to S.D. Fla. Local Rule 16.1(a)(2)(b), the Parties request a **Standard Track**, in which three (3) to ten (10) days of trial is required, with discovery to be completed within the period of 180 to 269 days from the date of the Scheduling Order. Defendants respectfully state that they intend to file a motion to dismiss which they believe will be dispositive. Given that possibility, and the likely difficulties inherent in conducting discovery concerning a Plaintiff who is a Presidential candidate and may be a defendant in multiple criminal trials during the discovery period, it is Defendants' position that discovery should be stayed pending the adjudication of the motion to dismiss. Plaintiff disagrees with the characterization

and substance of Defendants' statement above. Plaintiff, however (without waiving any rights), does not object to Defendants' request.

2. Pursuant to S.D. Fla. Local Rule 16.1(b)(2), the Parties submit as follows:

A. The likelihood of settlement:

Settlement is unlikely.

B. The likelihood of appearance in the action of additional parties;

At this stage, the parties do not anticipate adding additional parties to this action. However, the parties reserve the right to seek leave to amend in compliance with the Federal Rules of Civil Procedure and this Court's Orders.

C. Proposed limits on the time;

(i) to join other parties and to amend the pleadings;

May 20, 2024

(ii) to file and hear dispositive motions; and

January 24, 2024

(iii) to complete factual discovery.

December 20, 2024

D. Proposals for the formulation and simplification of issues, including the elimination of frivolous claims or defenses, and the number and timing of motions for summary judgment or partial summary judgment;

Defendants maintain that the case may be disposed of through a Rule 12(b)(6) motion. Plaintiffs disagree. The parties would plan to use all means of discovery available to simplify the issues and eliminate frivolous claims or defenses where possible. The proposed timing of dispositive motions is reflected in Exhibit A.

E. The necessity or desirability of amendments to the pleadings;

Defendants' deadline to file their motion to dismiss is May 10, 2024. The parties do not anticipate adding additional parties to this action, but reserve the right to seek leave where appropriate.

F. The possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof, stipulations regarding authenticity of documents,

electronically stored information or things, and the need for advance rulings from the Court on admissibility of evidence;

As discussed above, the parties will use all resources available to streamline the issues in this case, including reaching stipulations where possible. The parties agree to stipulate to the authenticity of documents when and where practicable. The parties will seek pre-trial and in limine rulings on admissibility issues where foreseeable and feasible.

G. Suggestions for the avoidance of unnecessary proof and of cumulative evidence;

The parties will work cooperatively to identify and resolve by agreement as many evidentiary issues as possible. Additionally, the parties will attempt to agree or stipulate to as many facts as reasonably possible to limit the presentation of evidence regarding undisputed facts.

H. Suggestions on the advisability of referring matters to a magistrate judge or master;

The parties agree to refer this case to the Magistrate Judge for discovery matters only.

I. A preliminary estimate of the time required for trial;

Three to five days.

J. Requested date or dates for conferences before trial, a final pretrial conference, and trial; and

See Exhibit A.

K. Any issues about:

Disclosure, discovery, or preservation of electronically stored information, including the form or forms in which it should be produced:

Plaintiff: None at this time

Defendants: None at this time

Claims of privilege of protection as trial-preparation materials, including—if the parties agree on a procedure to assert those claims after production—whether to ask the court to include their agreement in an order under Federal Rule of Evidence 502:

Plaintiff: None at this time.

Defendants: None at this time.

When the parties have agreed to use the ESI Checklist available on the Court's website, matters enumerated on the ESI Checklist:

Pending discussion

L. Any other information that might be helpful to the Court in setting the case for status or pretrial conference.

Given the identity of the parties and the nature of certain documents which may be produced in this action, Plaintiff will be seeking that the Court enter a Confidentiality Agreement/Protective Order which will govern the confidentiality of documents produced and testimony elicited in this action.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by email
this April 8, 2024 to the following:

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By: /s/ Alejandro Brito